

Draft Environmental Assessment

Lower Flathead River Fishing Access Site Improvement



November 22, 2007



***Montana Fish,
Wildlife & Parks***

**Lower Flathead River Proposed Fishing Access Site Improvement
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed action:

Development	<u> X </u>
Renovation	<u> </u>
Maintenance	<u> </u>
Land Acquisition	<u> </u>
Equipment Acquisition	<u> </u>
Other (Describe)	<u> </u>

- 2. Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605 MCA, which directs Montana Fish, Wildlife & Parks (FWP) to acquire, develop, and operate a system of fishing access sites. The legislature established a funding account to ensure that this function would be accomplished. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection of fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. See Appendix 1 for HB 495 qualification.

2. Name of project:

Lower Flathead River Fishing Access Site Improvement

3. Name, address, and phone number of project sponsor:

Allan Kuser	David Landstrom
Fishing Access Site Coordinator	Regional Parks Manager
Montana FWP, HQ	Montana FWP, Region 1
PO Box 200701	490 North Meridian Road
Helena, MT 59620	Kalispell, MT 59901
406-444-7885	406-751-4574

4. If Applicable:

Estimated Construction/Commencement Date: Spring 2008

Estimated Completion Date: Fall 2008

Current Status of Project Design (% complete): 50%

5. **Location affected by proposed action (county, range, and township):**
 The Lower Flathead River Fishing Access Site (FAS) is located in Section 6, Township 18 North, Range 24 West, Sanders County, Montana. The FAS is 2.08 acres.

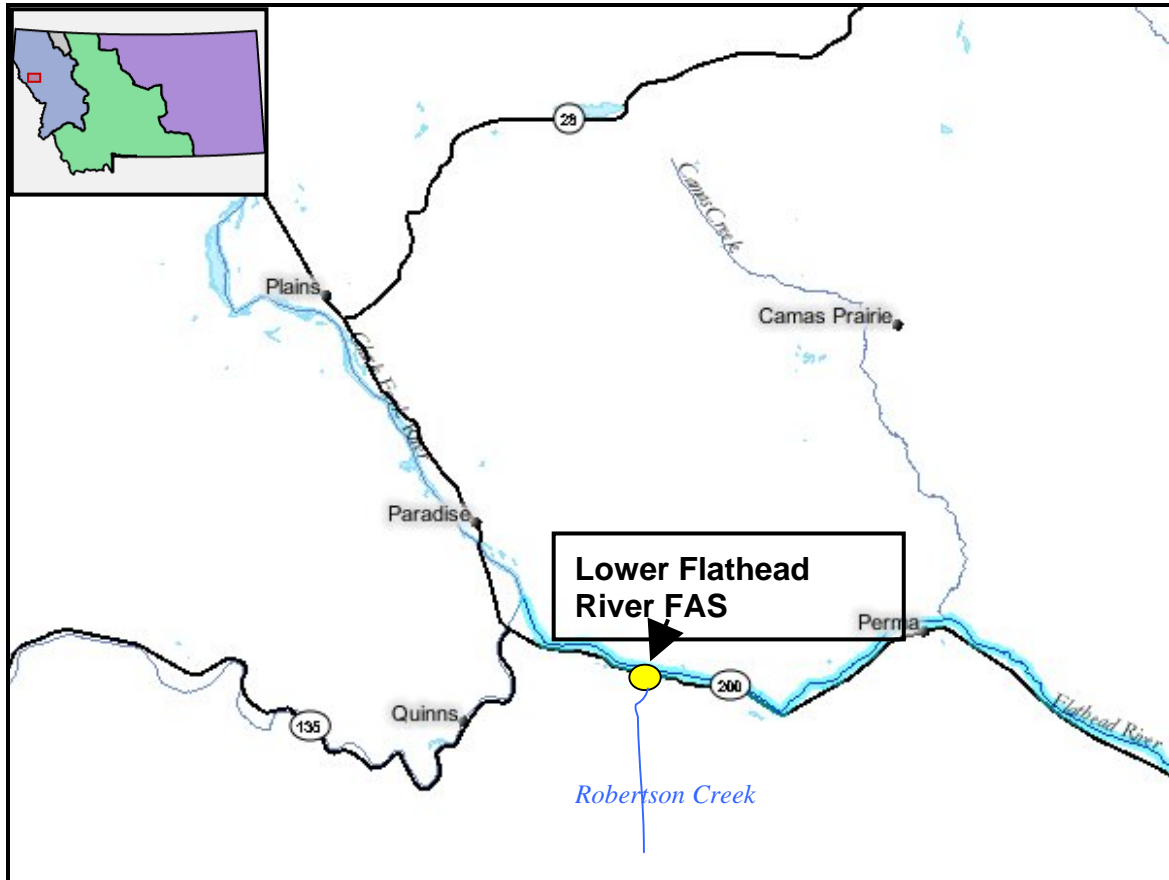


Figure 1: Yellow circle delineates location of Lower Flathead River FAS.

6. **Project size: Estimate the number of acres that would be directly affected that are currently:**
- | | |
|----------------------------|----------------------------------|
| (a) Developed: | (d) Floodplain..... |
| Residential0 acres | 2.08 acres |
| Industrial0 acres | (e) Productive: |
| (b) Open Space/Woodlands/ | irrigated cropland 0 acres |
| Recreation..... 2.08 acres | dry cropland 0 acres |
| (c) Wetlands/Riparian | forestry 0 acres |
| Areas.....0 acres | rangeland 0 acres |
| | other 0 acres |

7. **Map/site plan:** Attach an original 8½" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

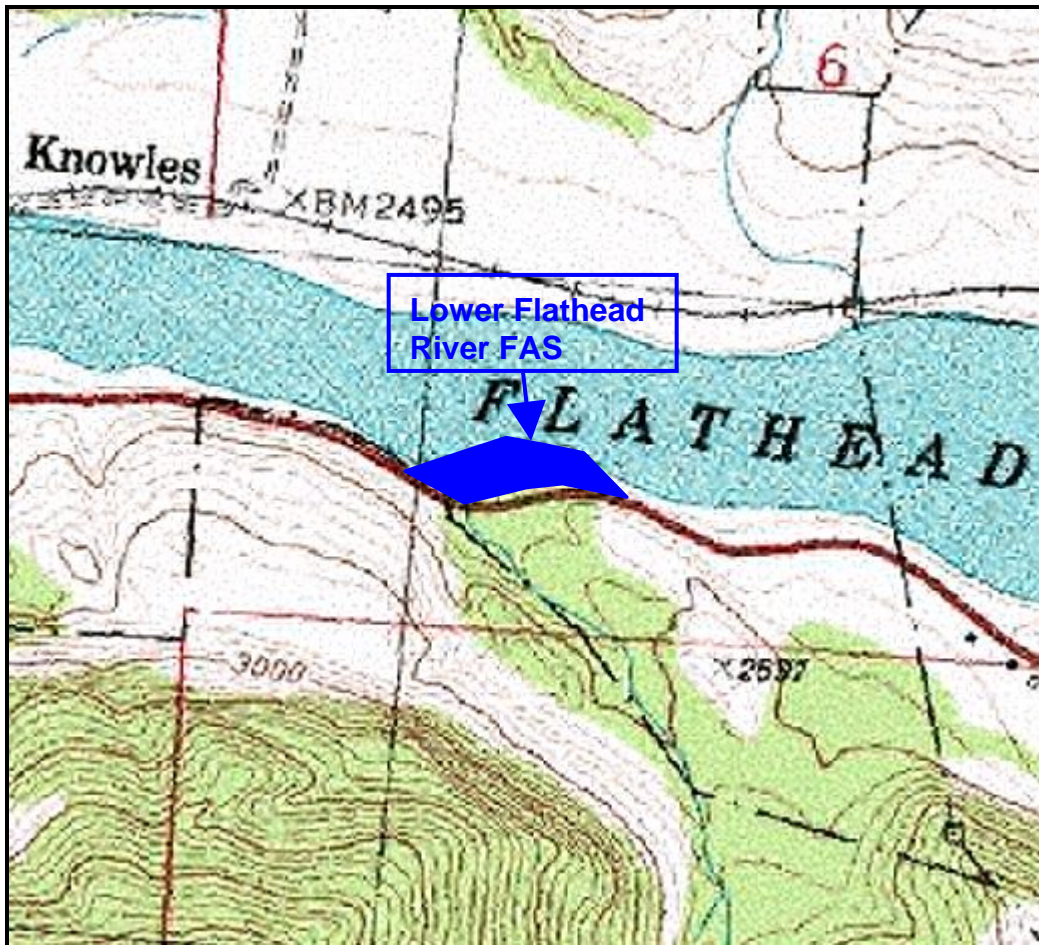


Figure 2: Topographic map depicting approximate boundaries (blue polygon; 2.08 acres) of FWP Lower Flathead River FAS. (Base photo source: Montana Natural Resources Information Service Topofinder.)

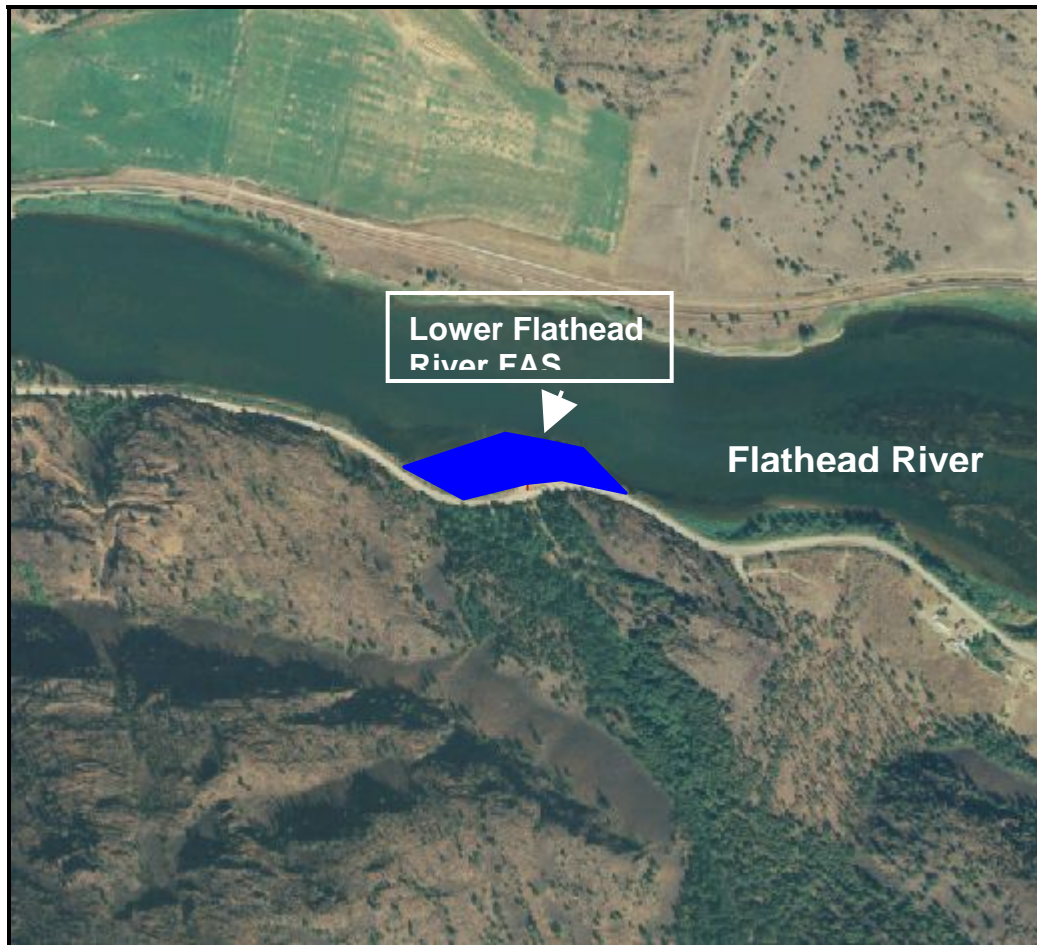


Figure 3: Aerial photograph depicting approximate boundaries (blue polygon; 2.08 acres) of FWP Lower Flathead River FAS. (Base photo source: Montana Natural Resources Information Service Topofinder.)

8. Listing of any other local, state, or federal agency that has overlapping or additional jurisdiction:

(a) Permits:

<u>Agency Name</u>	<u>Permit/#</u>
Montana Department of Transportation	Approach Permit
Montana Fish, Wildlife & Parks	124
Montana Department of Environmental Quality	318
US Corps of Engineers	404
Sanders County	Floodplain Permit

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish, Wildlife & Parks	
Fishing License Dollars	\$55,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
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9. Narrative summary of the proposed action or project, including the benefits and purpose of the proposed action:

Lower Flathead River FAS Description and Background

The Lower Flathead River FAS is a new acquisition by FWP. It was purchased from a private landowner in the summer of 2005 and has yet to be developed. Prior to 2003, public access to the Flathead River was allowed via a private launch at the current FAS. In 2003, the site was closed to public access. After the site closed, FWP received numerous inquiries about reestablishing access on the Flathead River, including Montana BASS Federation and the Flathead Chapter of Walleyes Unlimited, the Eastern Sanders Conservation District, and The Confederated Salish and Kootenai Tribes. These inquiries were the impetus for purchasing the land from the private landowner with the intention of developing a public fishing access site.

The Lower Flathead River FAS is located approximately 5 miles southeast of Paradise on Highway 200, or 3.9 river miles upstream of the Flathead River and the Clark Fork River confluence. It is approximately 2.08 acres. The site contains numerous ponderosa pine trees. There is some spotted knapweed (5% coverage) located at the site.

At the site, there is an undeveloped boat launch on the Flathead River (Figure 4), there is an undeveloped parking area (Figure 5), and there are two approaches from the highway (Figure 6). The sight distance for the east approach is short due to the curvature of the highway (Figure 7). Montana Department of Transportation (MDOT) is planning a realignment project for Highway 200 east of Paradise, and it is likely the entrances to this site would change because of the MDOT work. The MDOT project is not currently funded and would not begin until 2011, at the earliest.

In 2005 an angler survey identified this stretch of the Flathead River (confluence with the Clark Fork river mile 0 to river mile 28.7) as the 91st most fished body of water in Montana. The Regional rank was 18, and there were 6,753 days fished with 114 trips. Fish species in the this stretch include brown trout, bull trout, largemouth bass, largescale



Figure 4: Current boat launch at Lower Flathead River FAS.



Figure 5: East approach and parallel parking area at Lower Flathead River FAS.

sucker, northern pike, northern pikeminnow, peamouth, rainbow trout, redbside shiner, slimy sculpin, smallmouth bass, and yellow perch. The Fisheries Resource Value (a complex rating system based on Sport Fisheries Values, and Species and Habitat Value compared to other Montana streams) was outstanding.

Many fish and wildlife species utilize or are near the FAS, including some species of concern (e.g., bull trout, peregrine falcon, bald eagle, wolverine, and lynx). Bull trout use the Flathead River solely as a migration corridor between rearing grounds and spawning grounds. Juvenile and adult bull trout would not use the lower portion of the Flathead River, as temperatures are too warm in the summer. Bull trout would not be impacted by development at this property, as catching a bull trout in the Lower Flathead River is highly unlikely due to water temperatures and no habitat would be altered by this action. There is a peregrine falcon nest immediately downstream of the proposed FAS on the north side of the river. There would be minimal impact on the nesting pair with the development of this property, as the FAS has received public use in the past, and the nest is across the river. Bald eagles occur in the area of the FAS. The nearest nest is approximately 3.5 map miles (straight-line distance). Because of the great distance, there would be no impacts on this nest or on bald eagle habitat with the development of this property. Wolverine and lynx are typically upper-elevation species, have not been located in the immediate area of the potential FAS, and are not expected to be there. There would be no impact on these species.

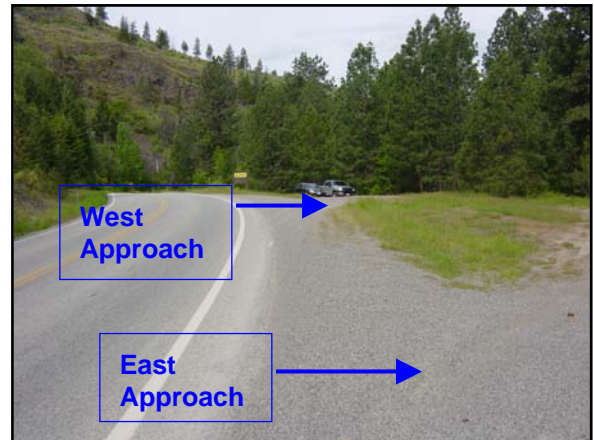


Figure 6: Two approaches into Lower Flathead River FAS.



Figure 7: Short sight distance at east approach into Lower Flathead River FAS.

Proposed Action, Purpose, and Benefits of the Action

Montana Fish, Wildlife & Parks proposes to develop the Lower Flathead River FAS using funds from fishing license dollars (\$55,000). Development would include closing the west approach and constructing a paved approach at the east entrance (to comply with MDOT's approach permit). In addition, compliance with the MDOT approach permit requires clearing brush and trees around the proposed approach for a minimum of one thousand feet. Development would also include constructing a gravel parking area with eight truck/trailer parking spots, improving the gravel boat launch, installing a latrine, and

installing signs. The development is needed to protect the site (i.e., prevent erosion, prevent sanitation problems, prevent off-road use, and control weeds), decrease safety hazards associated with ingress and egress, and to manage current use.

The FAS is a good access point for fishing the Flathead River. The Flathead River between Kerr Dam and the Clark Fork River confluence (72 river miles) has outstanding northern pike and smallmouth bass fishing. Northern pike have been caught up to 30 pounds. The lower few miles (just downstream of the FAS) of the river yielded state record smallmouth bass of 6.34 and 6.4 pounds in 1999 and 2000, respectively. Sixty-eight miles of this stretch of the Flathead River runs through the Flathead Indian Reservation. On the Reservation, motorboats are restricted to 15 horsepower motors maximum, and are not permitted between March 15 and June 30. The majority of motorboat use occurs on the lower four miles of river (the only stretch not on the Reservation). Floaters will commonly launch at Perma Bridge (located approximately seven river miles upstream of the Lower Flathead River FAS) or further upstream to float down into the lower section.

MDOT is planning a highway project for highway 200, adjacent to the proposed FAS. Section 4(f) of the U.S. Department of Transportation Act would require MDOT to consider all possible alternative routes before impacting the property and they must try to use all possible measures to minimize impacts to the recreational and habitat values of the property. If there is no alternative to impacting the property, MDOT would pay FWP for the impacts, or find alternative property if the road construction impacts are too severe to allow continued public access at this location.

In addition, FWP would manage noxious weeds on the site in accordance with the Region 1 Weed Management Plan and in concert with the county weed program.

PART II. ENVIRONMENTAL REVIEW

- Description and analysis of reasonable alternatives (including the no-action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a comparison of the alternatives with the proposed action/preferred alternative:**

Alternative A: No Action

Do not develop the Lower Flathead River Fishing Access Site. Due to safety concerns with the site distance, if the proposed improvement could not be made, FWP would have to consider disposal of the property. The FAS would remain in its primitive state, which could create site protection and sanitation issues. No improvement to the entrance to the site would occur, which could cause a traffic safety hazard.

Alternative B: Develop Lower Flathead River Fishing Access Site

The Lower Flathead River Fishing Access Site was purchased to establish access to the lower Flathead River with the intention of developing it into a standard FWP FAS.

Development at this site would include closing the west approach, constructing a paved approach at the east approach (to comply with MDOT's approach permit), constructing a gravel parking area with eight truck/trailer parking spots, improving the gravel boat launch, installing a latrine, and installing signs. To comply with the MDOT approach permit, brush and trees would be cleared east of the proposed approach for a minimum of one thousand feet. The development is needed to protect the site (i.e., prevent erosion, prevent sanitation problems, prevent off-road use, and control weeds) decrease traffic safety hazards associated with ingress and egress, and to manage current use.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

FWP engineering staff would oversee project construction; thus, the contractor would be held to the terms of the project, such as limiting soil and vegetation disturbance to the immediate project area and seeding disturbed areas to aid in reclamation.

The Sanders County sanitarian would approve the location and installation of the sealed vault latrine.

A short-term turbidity permit would be received from the Department of Environmental Quality prior to construction. FWP engineering staff has designed this project using Best Management Practices, which would limit changes in surface water runoff or drainage patterns once project is completed.

Noxious weeds would be monitored by FWP after completion and controlled in accordance with methods outlined in the Region One Weed Management Plan.

FWP designed the project to maintain vegetation for wildlife habitat and yet provide a stable ramp and efficient site use. Surrounding areas disturbed by construction would be reclaimed.

Vehicle safety would be improved by improving the approach to the FAS. The FAS would be constructed following Best Management Practices.

Montana's Fishing Access Site Program is designed to increase public access to public waters. Increased public access sometimes results in increased pollution, noise, vandalism, fire threat, safety hazards, dust, weeds, trespass, and theft. The proposed project is designed to mitigate these impacts through site design, regulation signs, enforcement activities, and site size. FWP would follow the guidelines of the good neighbor policy for public recreation lands (MCA 23-1-126.) to have "no impact upon adjoining private and public lands by preventing impact on those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, streambank erosion and loss of privacy." The FAS would be opened to day-use only. No overnight camping will be allowed.

Currently there are no residences immediately adjacent to this site.

PART III. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment. The site has been used in the past for public launching, and this action would continue and improve that use.

The proposed project would minimally impact the physical environment. Best Management Practices (see Appendix 3) would be utilized to minimize impacts to the land and water during design and construction of the proposed project. Most of the construction would occur in areas that have been previously disturbed. The MNHP located sand springbeauty, bull trout, peregrine falcon, North American wolverine, and lynx within one mile of this property. Since the property has historically been used for public access, this action should have no additional impacts on these species. The FAS has a minor infestation of spotted knapweed (5% coverage) and has not been managed for weeds. FWP would incorporate this property into Region One's weed management program.

The proposed project would minimally impact the human environment. The proposed FAS is a good access point to lands located across the Flathead River. Noise caused by increased recreational use may occur. The purpose of the site is for launching boats. Other recreational uses would be minimal due to the size (2.08 acres) and location of the site. Therefore noise at the site would be minimal and not likely a nuisance to neighbors. Motorboat traffic on the lower portion of the Flathead River may increase and result in increased noise along the river corridor. The proposed project would decrease traffic safety hazards by closing the west entrance and improving the site distance by removing trees and shrubs growing in the highway right of way.

The proposed project would positively impact the tourism & recreation industry economy. In addition, the proposed project would improve the quality of tourism & recreational opportunities, decrease traffic safety hazards, and help prevent sanitation problems (please see Appendix 2).

Before construction, FWP would identify any heritage properties that are located within the area affected by a proposed project and shall consult with the SHPO regarding how to address any impacts the project would have on any cultural site.

PART IV. PUBLIC PARTICIPATION

- 1. Describe the level of public involvement for this project if any, and given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public would be notified in the following ways to comment on the EA of the Lower Flathead River FAS Development:

1. Legal notices would be published in the Kalispell Daily Inter Lake, the Helena Independent Record, the Missoulian, and the Sanders County Ledger.
2. Legal notice and the draft EA would be posted on the Montana Fish, Wildlife, & Parks web site: <http://fwp.mt.gov/publicnotices>
3. Direct notice would be given to adjacent landowners.
4. Draft EA would be available at the Region 1 headquarters in Kalispell and the state headquarters in Helena.

This level of public involvement is appropriate for a project of this scale.

2. Duration of comment period, if any:

The public comment period would be 30 days. Comments may be e-mailed to dlandstrom@mt.gov, or written comments may be sent to the following address:

Dave Landstrom
Regional Parks Manager
Montana FWP, Region 1
490 North Meridian Road
Kalispell, MT 59901
(406) 751-4574

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required?

No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis.

2. Name, title, address and phone number of the person(s) responsible for preparing the EA:

Allan Kuser
FWP FAS Coordinator
1420 East Sixth Avenue
Helena, MT 59601
(406) 444-7885

Dave Landstrom
FWP Region 1 Parks Manager
490 North Meridian Road
Kalispell, MT 59901
(406) 751-4574

Sally Schrank
Independent Contractor
1416 Winne Avenue
Helena, MT 59601
(406) 268-0527

3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks
Parks Division, Region 1
Wildlife Division, Region 1
Fisheries Division, Region 1
Lands Section

Montana Department of Commerce - Tourism
PO Box 200533
1424 9th Avenue
Helena, MT 59620-0533

Montana Department of Transportation
Missoula District
2100 West Broadway
Missoula, MT 59807-7039

Montana Natural Heritage Program - Natural Resources Information System
PO Box 201800
1515 East Sixth Avenue
Helena, MT 59620-1800

PART VI. MEPA CHECKLIST

Evaluation of the impacts of the proposed action including secondary and cumulative impacts on the physical and human environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?			X			1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				1b.
c. Destruction, covering, or modification of any unique geologic or physical features?		X				1c.
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 1a. The proposed project would not alter geological substructure. Soil stability would be minimally impacted by improving the boat launch and parking area. Erosion and surface runoff should be minimal due to the low slope. Best Management Practices (see Appendix 3) would be utilized to minimize these impacts during design and construction of the proposed project. Removing the vegetation to improve the site distance may alter erosion and surface runoff.
- 1b. The proposed project would not disrupt, displace, compact, cause moisture loss, or increase over-covering of the soil. All construction would occur in an area that has already been disturbed. To protect the site from degradation, vehicles would be confined to designated areas.
- 1c. The proposed project would not destroy, cover, or modify any unique geologic or physical feature.
- 1d. The proposed project would improve the primitive boat launch. There would be no changes in deposition and erosion patterns in the Flathead River.

PHYSICAL ENVIRONMENT

2. AIR Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))			X			2a.
b. Creation of objectionable odors?			X			2b.
c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		NA				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

- 2a. Minor amounts of dust would be temporarily created during construction and improvements of the approach, boat launch, and parking area. Best Management Practices (see Appendix 3) would be utilized to minimize the dust during construction.
- 2b. Vault latrines can emit foul odors, but proper siting of the latrine as well as regular maintenance would diminish the problem. Current design of vault toilets minimizes odors by using black, passively heated vent pipe to increase airflow through the structure and remove objectionable odors. Not having a latrine would likely result in sanitation problems that could potentially lead to health and safety issues.

PHYSICAL ENVIRONMENT

3. <u>WATER</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen, or turbidity?			X			3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			See 3a.
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water-related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		NA				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		NA				
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

- 3a. The proposed project would occur in areas that have been previously disturbed. Increased discharge into surface water or alterations of drainage patterns would be minor and temporary during construction. Removing the vegetation to improve the site distance may alter drainage patterns.

PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			4a.
b. Alteration of a plant community?			X			See 4a.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		X	4e.
f. For P-R/D-J , will the project affect wetlands, or prime and unique farmland?		NA				
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 4a. Development would occur in areas that have been previously disturbed. There would be a minor change in plant species in the area of construction.
- 4c. The Montana Natural Heritage Program (MNHP) found records of sand springbeauty *Claytonia arenicola* within one mile of the site. The US Forest Service ranks this vascular plant as sensitive. The plant was located at the Cascade Creek campground and along Robertson Creek, and has not been located at the FAS.
- 4e. The FAS has a minor infestation of spotted knapweed (5% coverage), The FWP Region One Weed Management Plan calls for an integrated method of managing weeds using mechanical, biological, and chemical eradication procedures. Increased use at the site may lead to increased weed infestations; however, the implementation of a weed management program would mitigate this risk. Aquatic weeds are present in Coeur d'Alene, only 125 miles from the site. Signing regarding aquatic weeds and activities to prevent their spread would be posted on-site.

PHYSICAL ENVIRONMENT

5. FISH/WILDLIFE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b.
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		NA				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		NA				
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 5b. The FAS is a good access point to lands located across the Flathead River. One of the main uses of the boat launch in the fall is by hunters who have permits to hunt bighorn sheep on the north side of the Flathead River. A private property owner has allowed access through his property to Hunting District 124 and would likely do so in the future. This hunt allows for either-sex and adult ewe bighorn sheep licenses with a season from mid-September through mid-November. The proposed project would enhance access to this land.
- 5f. The MNHP located bull trout *Salvelinus confluentus*, peregrine falcon *Falco peregrinus*, North American wolverine *Gulo gulo luscus*, and lynx *Lynx canadensis* within one mile of the FAS. Since the FAS has been used for public access in the past, the proposed project should have no additional impacts on these species.

Bull trout use the Flathead River solely as a migration corridor between rearing grounds and spawning grounds. Juvenile and adult bull trout would not use the lower portion of the Flathead River as temperatures are too warm in the summer. Bull trout would not be impacted by this action as catching a bull trout in the Lower Flathead River is highly unlikely and no habitat would be altered by the proposed project

(5f. continued)

There is a peregrine falcon nest immediately downstream of the FAS on the north side of the river. The FAS has historically been used for public access and the proposed project would not change this use. The proposed project should provide no additional impacts on the nesting pair.

Wolverine and lynx are typically upper elevation species, have not been located in the immediate area of the FAS, and are not expected to be there. The proposed project would not impact these species.

Bald eagles occur in the area of the FAS. The nearest nest is approximately 3.5 map miles (straight line distance). The FAS has historically been used for public access and the proposed project would not alter this use. The proposed project would not impact this nest or bald eagle habitat. Guidelines established in the FWP Bald Eagle Management Plan would be followed.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Increases in existing noise levels?			X			6a.
b. Exposure of people to severe or nuisance noise levels?		X				See 6a.
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 6a. Public access has historically been available at this site, and the access was formalized by the acquisition of the property by FWP in 2005. The proposed project is designed to manage current use and not to increase use. The purpose of the site is for launching boats. Other recreational uses would be minimal due to the size (2.08 acres) and location of the site. Therefore noise at the site would be minimal and not likely a nuisance to neighbors. Motorboat traffic on the lower portion of the Flathead River may increase and result in increased noise along the river corridor.

HUMAN ENVIRONMENT

7. <u>LAND USE</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 7a. The proposed project is designed to manage current use and not to increase use at the site. Land use would not change.

HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J , will any chemical toxicants be used? (Also see 8a)		NA				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 8a. The FWP Region 1 Weed Management Plan calls for an integrated method of managing weeds, including the use of herbicides. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.

HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X			9e.
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 9e. The site distance on the west entrance to the proposed FAS is short, due to the curvature of highway 200. The Montana Department of Transportation (MDOT) approach permit would require that the east approach be paved and that brush and trees would be cleared for a minimum of one thousand feet. MDOT is planning a realignment project for Highway 200 east of Paradise, and it is likely the approach to this site would change because of the MDOT work. The MDOT project is not currently funded and would not begin until 2011, at the earliest.

HUMAN ENVIRONMENT

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: _____			X			10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources						10e.
f. Define projected maintenance costs.						10f
g. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 10a. There would be maintenance responsibilities associated with the proposed project, but FWP would assume all responsibility and integrate maintenance of these sites in its existing FAS maintenance schedule.
- 10e. There would be no revenue generated from the proposed action.
- 10f. It would cost approximately \$4,000 per year to maintain this site, including weed control, road grading, toilet pumping, and groundskeeping.

HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			X			11c.
d. For P-R/D-L , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		NA				
e. Other:		NA				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 11c. The proposed project has the potential to positively impact the tourism & recreation industry economy. In addition, the proposed project would improve the quality of tourism & recreational opportunities, decrease traffic safety hazards, and help prevent sanitation problems (please see Appendix 2).

HUMAN ENVIRONMENT

12. CULTURAL/HISTORICAL RESOURCES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		NA				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- 12a. Before construction, FWP would identify any heritage properties that are located within the area affected by a proposed project and shall consult with the SHPO regarding how to address any impacts the project would have on any cultural site.

HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		NA				
g. For P-R/D-J, list any federal or state permits required.		NA				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

APPENDIX 1
HB495
PROJECT QUALIFICATION CHECKLIST

Date: July 11, 2007

Person Reviewing: Sally Schrank

Project Location: The Lower Flathead River Fishing Access Site (FAS) is located in section 6, Township 18 North, Range 24 West, Sanders County, Montana. The FAS is 2.08 acres.

Description of Proposed Work: Montana Fish, Wildlife & Parks proposes to develop the Lower Flathead River FAS. Development would include closing the west entrance, constructing a paved approach at the east entrance, constructing a gravel parking area with eight truck/trailer parking spots, improving the gravel boat launch, installing a latrine, and installing signs. Brush and trees would be cleared east of the proposed approach for a minimum of one thousand feet.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check all that apply and comment as necessary.)

☐ A. New roadway or trail built over undisturbed land?

Comments:

☐ B. New building construction (buildings <100 sf and vault latrines exempt)?

Comments:

☐ C. Any excavation of 20 c.y. or greater?

Comments:

☒ D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?

Comments: Improving the parking areas would establish a parking capacity of eight truck/trailers.

☐ E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?

Comments:

☐ F. Any new construction into lakes, reservoirs, or streams?

Comments:

☐ G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?

Comments:

☐ H. Any new above ground utility lines?

Comments:

☐ I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?

Comments:

☐ J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?

Comments:

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX 2
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife & Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name, project description portions, and submit this form to:

Carol Crockett, Tourism Development Specialist
Travel Montana - Department of Commerce
PO Box 200533
301 South Park
Helena, MT 59620-0533

Project Name: **Lower Flathead River Fishing Access Site Development**

Project Description: The Lower Flathead River Fishing Access Site (FAS) is located in Section 6, Township 18 North, Range 24 West, Sanders County, Montana. The FAS is 2.08 acres. The Lower Flathead River Fishing Access Site was purchased to reestablish access to the lower Flathead River with the intention of developing it into a standard FAS. Montana Fish, Wildlife & Parks proposes to develop the Lower Flathead River FAS. Development would include closing the west approach, constructing a paved approach at the east entrance, constructing a gravel parking area with eight truck/trailer parking spots, improving the gravel boat launch, installing a latrine, and installing signs. Brush and trees would be cleared east of the proposed approach for a minimum of one thousand feet. The development is needed to protect the site (i.e., prevent erosion, prevent sanitation problems, prevent off-road use, and control weeds), decrease traffic safety hazards associated with ingress and egress, and to manage current use.

1. Would this site development project have an impact on the tourism economy?

NO

YES

If YES, briefly describe:

As described, the project has the potential to positively impact the tourism & recreation industry economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

NO

YES

If YES, briefly describe:

As described, the project would improve the quality of tourism & recreational opportunities, decrease traffic safety hazards and help prevent sanitation problems.

Signature: Carol Crockett

Date: August 22, 2007

Appendix 3
MONTANA FISH, WILDLIFE & PARKS
BEST MANAGEMENT PRACTICES FOR FISHING ACCESS SITES
10-02-02

I. ROADS

A. Road Planning and Location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning and recognizing foreseeable future uses.
2. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.
3. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.
4. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.
5. Minimize the number of stream crossings.
6. Choose stable stream crossing sites. "Stable" refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. Road Design

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. "Standard" refers to road width.
2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. Drainage from Road Surface

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped, or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.
 - a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.
 - b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.
 - c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the subgrade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of crossdrain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.
3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Crossdrains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.
4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.
2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it provides an economical way of disposing of roadway slash. Limit the height, width, and length of these “slash filter windows” so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.
3. Construct cut-and-fill slopes at stable angles to prevent sloughing and subsequent erosion.
4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.
5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.
6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. Road Maintenance

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.
2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and crossdrains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.
3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.
4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades, or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.
2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and

parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils

3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.

4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas, and campsites through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.

2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).

3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.

4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.

2. Adjust the road grade or provide drainage features (e.g., rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.

4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time construction activities to protect fisheries and water quality.

2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.

3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.
4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (rip-rap or erosion resistant woody vegetation).
5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.